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Commissioner for Patents
Washington, D.C. 20231
on November 8, 2002

Date of Deposit

David W. Okey

Name of applicants, assignee or
Registered Representative

D.W. Okey

Signature

Nov 8, 2002

Date of Signature

11-15-02
#5

Our Case No. 10541/125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gawthrop et al.

Serial No. 09/753,298

Filing Date: December 29, 2000

For: DOWNFLOW CONDENSER

)
)
)
) Examiner: Leonard R. Leo
)
) Group Art Unit No. 3743
)
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RESPONSE TO RESTRICTION REQUIREMENT TECHNOLOGY CENTER R3700

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the restriction requirement mailed on October 9, 2002, Applicant submits this Response by certificate of mailing. Applicant elects Invention I, Claims 1-13, drawn to a heat exchanger. Applicant also elects species I, principally illustrated in Fig. 4, claimed in claims 1-6. Applicant traverses both restriction requirements and respectfully requests the Examiner to withdraw both restriction requirements from the application and to allow the application to proceed to examination of all the claims.



3743

TRANSMITTAL LETTER			Case No. 10541/125
Serial No. 09/753,298	Filing Date December 29, 2000	Examiner Leonard R. Leo	Group Art Unit 3743
Inventor(s) Gawthrop et al.			
Title of Invention Downflow Condenser			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Response to Restriction Requirement; and return post card.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

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TECHNOLOGY CENTER R3700

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity

Rate	Add'l Fee
x \$9=	
x 42=	
+\$140=	
Total add'l fee	\$

or

Other Than
Small Entity

Rate	Add'l Fee
x \$18=	
x \$84=	
+\$280=	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

David W. Okey

David W. Okey
Registration No. 42,959
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

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Date: NOV 8, 2002Signature: *David W. Okey*